

FIRST CASE OF THE  
KIND IN UTAH STATEUnusual Legal Proceeding Comes Before  
the District Court, Involving  
Administrator's Accounting.

JUDGE MORSE of the District court listened to argument yesterday in a rather unusual legal proceeding, and the point is said to be one that has never been raised in the courts of Utah. The case is that of the administrator of the estate of J. P. Perry, as executor of his father's will, by his brother and sisters to compel the defendant to render an accounting in the administration of the father's estate. A commission has been sent to this city to secure a deposition from W. Mont Perry and Ned Perry, sons of E. P. Perry, whose testimony regarding certain dealings of their father is considered of great importance.

In connection with their testimony it is desired that the Perry brothers here produce certain papers and letters said to be in their possession. This they refuse to do, on the ground that the affidavits of the plaintiffs' attorneys are not sufficient to compel them to produce the papers. The sufficiency of the affidavits was the point argued before Judge Morse yesterday. The plaintiffs are represented by the firm of Pierce, Critchlow & Barrett, and the Perry brothers by J. A. Folger & Co., San Francisco. The amount involved in the case is the estate of J. P. Perry, said to be between \$200,000 and \$300,000. The matter will be decided by Judge Morse today.

## Court Notes.

Six damage suits against the Southern Pacific company, brought as a result of fatalities in the powder explosion at Jackson Sliding, Nev., on February 19 last, were argued in the Federal court yesterday. The amount sued for in each case was \$20,000, making the aggregate amount \$120,000, and by the terms of the agreement, judgment was set aside against the company in each case by stipulation, in the amount of \$1500, making the total amount \$9000. The plaintiff in every case was George K. Calkins, as administrator, respectively, of the estates of Annastacia Zeonas, Nick Apostolopoulos, George Psomas, Evangelos Zeomas, Gust Psomas and George Zeomas, employees of the railroad company who were killed by the explosion.

Readings of Charles Meighan, the defaulting postmaster of Ogden, against whom a judgment in the amount of \$241.82 was recently awarded the Government by a jury in the Federal court, was yesterday denied a new trial of the case by Judge Marshall.

Divorce proceedings were instituted in the District court yesterday by James Beattie against Emma Beattie, on the ground of desertion. The plaintiff alleges that the defendant abandoned him in January, 1903.

Cloyd Goshen and Richard Davis, the two men who were arrested June 1 on the charge of stealing \$200 from Minnie Williams, will not be prosecuted. It was ordered by Judge Marshall yesterday that no information be filed, the order being made upon a statement of reasons why the case should not be prosecuted as submitted by District Attorney Smith. From the statement of the reasons it appears that the two men, while under the influence of liquor, went to a rooming-house in the city, and Minnie Williams went in search of the landlady \$200 was taken from her purse, which she had left on the table in the waiting-room. When the woman came back Minnie Williams discovered that the money was gone from her purse. A \$100 bill was found on the floor and a similar amount was found in Goshen's hat. The District Attorney was informed by the landlady that she would testify, if the case were brought to trial, that the men were so intoxicated that they did not know what they were doing. The complaining witness said to have gone to California. In view of these facts District Attorney Smith asked that the case be dropped.

The defendants in several criminal actions were arraigned before Judge Morse in the forenoon and entered pleas of not guilty to the informations against them. These cases were set for trial as follows: State vs. Otto Newman, burglary and housebreaking, June 23; State vs. George Tulley, robbery, continued until September term; State vs. Joe Gallagher, attempting to commit burglary, June 27; State vs. Robert Hatch, assault with a deadly weapon with intent to do bodily harm, June 16; State vs. John Sparks, burglary, June 17.

## THE SAN PEDRO LINE

Has been chosen as the OFFICIAL LINE for the ELKS DURING CARNEVAL WEEK AT PROVO.

## COURT CALENDAR.

Cases Set for Today.  
DISTRICT COURT.  
Division No. 1—Judge Hall.  
Wells vs. McElroy.  
Division No. 2—Judge Stewart.  
Whitworth vs. Salt Lake Hotel.  
Springs Sanitarium company.  
Division No. 3—Judge Lewis.  
No setting.  
Division No. 4—Judge Lewis.  
Hlake vs. Farrell.  
CITY COURT.  
Civil Division—Judge Tanner.  
1 p. m. Saunders vs. Anderson.

## BIRTH RETURNS.

Bassett, boy to Fred L. and Margaret, 50 South West Temple, May 12.  
Lulu, girl to A. and Martha, 47 Green Street, June 2.  
Woodmansee, boy to Mr. and Mrs. H. A., 34 South Third West, June 10.

## MARRIAGE LICENSES.

Peter Chlado, Mercer, .....  
Catherine Almonetto, Mercer, .....  
Catherine F. Trapp, Salt Lake, .....  
Leona Cronin, Salt Lake, .....  
John W. Wardell, East Lake, .....  
May S. Hensley, East Mill Creek, .....  
Fred Bramley, Eureka, .....  
Lillian Newton, Boulder, Mont., .....  
Dave McPherson, Boulder, Mont., .....  
Anna Meyer, Boulder, Mont., .....  
Raymond G. Paul, San Francisco, Cal., .....  
William E. Sherriff, Salt Lake, .....  
Blanche E. Sparling, Salt Lake, .....  
Edith A. Selby, Salt Lake, .....  
William T. Pison, Taylorville, .....  
Matthias Sokes, Riverport, .....  
Raymond C. Cronan, Salt Lake, .....  
Ada Adams, Salt Lake, .....  
.....



**Coffee Perfection**

We have been selecting, blending and roasting coffee for over half a century. Golden Gate is the result of our long coffee experience. We cannot improve it. Could not make it better if we tried. No one knows how to blend it but ourselves. Golden Gate is fragrant—delicious.

High grade grocers sell it.  
1 and 2 lb. aroma-tight tins.

J. A. Folger & Co., San Francisco  
Importers and Roasters of Fine Old Coffee

## TRACK, SHOP AND OFFICE

BIG ORDER PLACED  
FOR FREIGHT CARS

More Than Two Thousand to Be Bought This Year by the Harriman Lines.

ONE of the largest single orders for freight equipment ever placed by a Western railroad has just been given to the Pressed Steel Car company and the American Car and Foundry company by W. V. S. Thorne, director of purchases on all the Harriman lines. It is a noteworthy fact that all these cars are for the far Western end of the system. First comes 1000 30-ton flats and 200 oil tank cars of 12,500 gallons capacity, these 1250 cars to be built by the Pressed Steel folks with delivery beginning August 1 to the Southern Pacific.

The American company gets the contract for 1000 steel underframe box cars for delivery in July and August, 250 for the Oregon Short Line at Salt Lake and 750 for the Southern Pacific at San Francisco.

SCHLACKS WILL HEAD  
EXPRESS COMPANY, TOO

According to reports in Denver, Charles H. Schlacks, lately made vice-president of the Utah Fuel company and the Rio Grande system, will also be placed at the head of the Globe Express company. This corporation only has an express franchise on the lines of the Rio Grande in Colorado, and New Mexico, but it was organized to cut quite a figure in transcontinental express matters and will eventually be the corporation handling this business over all the Gould lines. It was the dream of Mr. Kramer's life to establish a through express company from ocean to ocean and the Globe was organized to mark the initial step in that project.

## Railroad Notes.

General Manager Calvin and family left for the Northwest last night.

For the Brigham City strawberry festival the Oregon Short Line will run a special on Friday and Saturday, leaving here at 8 a. m. and returning to leave Brigham at 10:30 p. m. The

## TURN OVER TIME

When Nature Hints About the Food.

When there's no relish to any food and all that one eats doesn't seem to do any good then is the time to make a turn over in the diet, for that's Nature's way of dropping a hint that the food isn't the kind required.

"For a number of years I followed railroad work, much of it being office work of a trying nature. Meal times were our busiest and eating too much and too quickly of food such as is commonly served in hotels and restaurants, these together with the sedentary habits were not long in giving me dyspepsia and stomach trouble which reduced my weight from 205 to 160 pounds.

"There was little relief in any food and none of it seemed to do me any good. It seemed the more I ate the poorer I got and was always hungry before another meal, no matter how much I had eaten.

"Then I commenced a fair trial of Grape-Nuts and was surprised how a small saucer of it would carry me along, strong and with satisfied appetite, until the next meal, with no sensations of hunger, weakness or distress, as before.

"I have been following this diet now for several months and my improvement has been so great all the others in my family have taken up the use of Grape-Nuts with complete satisfaction and much improvement in health and brain power.

"American people undoubtedly eat hurriedly, have lots of worry, thus hindering digestion and therefore need a food that is pre-digested and concentrated in nourishment." Name given by Postum Co., Battle Creek, Mich.

Look in each pkg. for the famous little book, "The Road to Wellville."

**W.H. Dayton Drug Company**  
Cor. 2nd So. and State. Tel. 352.

**Keep Comfortable With Talcum**

There is nothing that is such a help to comfort in hot weather as a good talcum powder, and we believe ST. JOHN'S TALCUM POWDER to be unsurpassed for general excellence. It is prepared in two colors, violet and rose, the price being the same for each.

25 CENTS.

**W.H. Dayton Drug Company**  
Cor. 2nd So. and State. Tel. 352.

**You Ought to See Our \$2.65 Shoe and Oxford Specials**

Regular \$3.50 Grades In Black and Tan Complete Sizes

**Davis**  
238-240 Main St. Phone 695

## DEVELOPS THE BUST



The greatest attractiveness of a woman's figure is a finely rounded Bust, and in no direction is a lack of woman's charms so striking as in a deficiency in this particular.

DR. CHARLES' FLESH FOOD is positively the only preparation known to medical science that will develop the immature bust or restore the natural beauty of a breast lost through nursing. IT MAKES THE FLESH FIRM AND HEALTHY.

ON SALE AT DEPARTMENT STORES AND DRUGGISTS.

## SPECIAL OFFER.

The regular price of Dr. Charles' Flesh Food is \$1.00 a box, but to introduce it to thousands of new homes we have decided to send two (2) boxes to all who answer this advertisement and send us \$1.00. All packages are sent in plain wrapper, postage prepaid.

FREE A sample box—just enough to convince you of its great merit. Dr. Charles' Flesh Food—will be sent free for 10 cents, which pays for cost of mailing. We will also send you our illustrated book, "Art of Massage," which contains all the proper movements for massaging the face, neck and arms, and full directions for developing the bust. Address:

Dr. Charles Co., 19 Park Place, New York.  
Sold at 50 cents a box by  
F. J. HILL DRUG CO., Salt Lake.

## Talk About Eyes

Is sometimes necessary, to a limited extent, but talk and ready-made glasses will not remedy defects. An examination, to scientifically determine the cause, and a pair of glasses MADE TO FIT is the procedure that gives permanent relief, and that's what Rushmer does.

**RUSHMER**  
Phone 128-K. 73 W. 1st South St.

## FREE UNTIL CURED



To men who suffer from nervous debility, losses, impotency, varicocele, "chills," lameness, back, kidney or stomach troubles I will give the use of my world-famed Dr. Sanden Electric Belt absolutely free until cured and not one penny in advance or on deposit. Price when cured as low as \$4 in most cases. If it fails to cure you don't pay me anything whatever. Beware of imitations. The genuine Dr. Sanden Belt can only be had at my established store below. Standard for forty years. Call today and take a belt along or write for one and my two books mailed free.

DR. T. N. SANDEN,  
997 Market St. San Francisco, Cal.

## The State Bank of Utah

Corner Main and South Temple Sts., Salt Lake City.

JOSEPH F. SMITH, President.  
WILLIAM B. PRESTON, Vice-President.  
CHARLES S. BURTON, Cashier.  
HENRY T. MEYAN, Asst. Cashier.

## GENERAL BANKING BUSINESS.

Accounts Solicited. Special attention to country trade. Correspondence invited.

J. E. COCHRAN, Pres. E. W. WILSON, Cashier.  
OPEN AN ACCOUNT WITH  
**COMMERCIAL NATIONAL BANK**  
J. J. Daly, W. P. Noble, Vice-Presidents.  
A. H. Peabody, Asst. Cashier.

## WELLS, FARGO &amp; CO. BANK

Salt Lake City, Utah.  
The Oldest and Strongest Bank in Utah.

Capital.....\$1,000,000  
Surplus.....\$1,475,000  
Undivided profits.....\$1,475,000

Transacts a general banking business, domestic and foreign.  
Direct connections with banks in all principal cities of the world.

ISSUES: On all Letters of Credit, prominent telegraphic transfers. Deposits received—subject to check.  
H. L. MILLER, Cashier.  
H. F. CLARK, Asst. Cashier.

## ESTABLISHED 1861. 150 OFFICES. THE OLDEST AND LARGEST.

## R. G. DUN &amp; CO.

The Mercantile Agency.  
GEORGE RUST, General Manager.  
Utah, Idaho and Wyoming.  
Office in Progress bldg., Salt Lake City.

## CAPITAL FULLY PAID, \$250,000.

## WALKER BROTHERS, BANKERS.

SALT LAKE CITY, UTAH.  
Established 1829. Incorporated 1904.  
Transact a General Banking Business.  
SAFE DEPOSIT BOXES FOR RENT.

## DESERET NATIONAL BANK.

UNITED STATES DEPOSITORY.  
Salt Lake City, Utah.  
Capital, \$500,000 Surplus, \$250,000

## L. S. HILLS, MOSES THATCHER, President.

H. S. YOUNG, Vice-President.  
Cashier. E. S. HILLS, Asst. Cashier.  
Safe deposit boxes for rent.

## NATIONAL BANK OF THE REPUBLIC

U. S. DEPOSITORY.  
FRANK KNOX, President.  
JAMES A. MURRAY, Vice-President.  
W. F. ADAMS, Asst. Cashier.  
CAPITAL PAID IN, \$500,000.  
Banking in all its branches transacted.  
Exchange drawn on the principal cities of Europe.  
INTEREST PAID ON TIME DEPOSITS.

## MCCORMICK &amp; CO., Bankers.

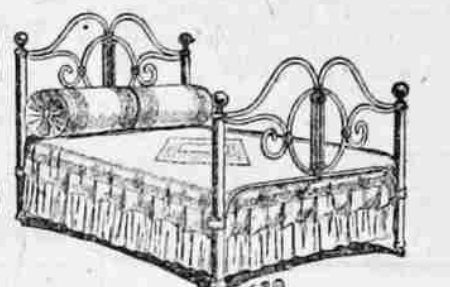
Salt Lake City, Utah.  
ESTABLISHED 1870.



**A Carload of New Styles**

And some of the richest patterns we have ever shown in beds. The new bronzed effects, with the porcelain enameled chills are very pleasing. Full sized iron beds from—

**\$3.50**  
---to---  
**\$40.00**



## FREED FURNITURE &amp; CARPET COMP'Y

YOUR CREDIT IS GOOD.

**At Barton's Store**

**It's Straw Hat Time**

Come for your straw hats. The smart hats are the new shapes in Sennet and Split Straws, Mackinaws, Milan Braids, etc., etc. We have all widths of brims and heights of crowns.

## Prices Range from 25c to \$2.00

## BARTON &amp; CO.,

One-Price Clothiers and Hatters. 45-47 Main St.



**JOHN MOUNTEER FOUND \$700**

Salt Lake City, Utah.  
May 18, 1904.

To the Merchants' Protective Association:

Yours of the 16th inst. to hand and contents noted. In obtaining settlement of this claim for me you have accomplished what all others have failed to do. This claim was about twelve years old. For four or five years it was in the hands of attorneys for collection, and was returned to me as worthless. It is equal to \$700.00 found, and I desire to commend you for your perseverance and success. Yours truly,  
JOHN MOUNTEER, Grocer, 1928 Second Street.

## Does anyone owe you? Do you want it? We will collect it. That's our business.

## Merchants' Protective Association

SCIENTIFIC COLLECTORS OF BAD DEBTS.

Francis G. Luke, General Manager. Top floor, Commercial Block, Salt Lake City.

"SOME PEOPLE DON'T LIKE US."

Our Good Glasses Will Help Your Poor Eyes.

Eye tests free and satisfaction guaranteed.

**UTAH OPTICAL**  
237 S. MAIN STREET

**Nelden-Judson Drug Co.**  
WHOLESALE DRUGGISTS.  
CIGARS A SPECIALTY.  
POSTOFFICE BOX 370.

EDW. C. SMITH, Pres.  
JOHN P. COBB, Vice-Pres. & Mgr.  
JNO. J. JUDSON, Treas.  
F. L. FRANK, Sec.

## POSTUM

CEREAL FOOD COFFEE

## MOUNTAIN SHOES ...

For boys, misses and children. High top, box calf and kangaroo, snake bits with these shoes on.

Misses' 13 1-3 to 2 .. \$1.95  
Child's 8 1-2 to 13 .. \$1.75  
Boys' 13 1-2 to 2 .... \$1.95  
Youths' 8 1-2 to 13 .. \$1.75

## THE MOORE SHOE CO.,

258 SOUTH MAIN ST.

## Habitual Constipation

IS CURED BY  
**Young's**

Antibilious Granules.  
They contain just the proper dose of the best laxative known. A dose each night causes regular natural bowel movement every morning, cleaning out and toning up the whole system. Not a purgative. THEY CURE CONSTIPATION. Won't cause the "pill habit." A trial proves them. 25c per bottle.

## Druehl &amp; Franken, DRUGGISTS,

Southeast Corner Main and Third South Streets, Salt Lake City.  
Agents for Rexall Preparations.

## 10c

Any article in our west window, 10c. Something New Every Day.

25c Towel Rods.  
20c Kitchen Fork.  
20c Bread Knife.  
25c Set Spoons.  
Your Choice—

## 10c

Brubaker-Campbell Hardware Company  
27-29 W. 3rd So.

## The Best Whiskey

Needs no Praise.

Old Cambridge Rye  
Old Crow Bourbon

## THE ZANG,

ROPER & MAYER,  
26-28 W. Second South St.

## BREAD NEVER SOUR—USE THE FLOUR OF THE HOUR—

## Husler's Flour.

McDonald's Chocolate Foam